

MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, JUNE 2, 2011 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Martin Gould, Jr., Chairman

Invocation by Mr. Falconer

Pledge of Allegiance by Mr. Artigue

Roll Call: Marty Dean
Gary Cooper
James A. "Red" Thompson
R. Reid Falconer
Rebecca Howell
Al Hamauei
Marty Gould
Chris Canulette ABSENT
E. L. Gene Bellisario
Henry Billiot
Steve Stefancik
Jerry Binder
Richard Artigue
Ken Burkhalter

Gould - please be advised our voting system is not working. I will call for a vote asking for Yeas, Nays and Abstentions. Please vote out loud and raise your hands.

PRESENTATIONS

Gould - 1) Introduction of the Junior Council Member for June - Joseph Kelly. (Binder)

Binder - first, he wants to thank Mr. Billiot for putting the Junior Council Member Program into place. Joseph Kelly is 11 years old. He attends Our Lady of Lourdes School and is going into the 6th grade. He makes very good grades and wants to be a priest when he grows up.

Burkhalter - he would like to recognize Council Member Hicks from Slidell.

Gould - 2) Presentation of Certificate of Recognition to the East St. Tammany Chamber of Commerce for receiving 5 Star Accreditation. (Hamauei)

Hamauei - presented plaque along with Kevin Davis to Dawn Brackett, Chief Executive Officer and members of the Board of Directors.

Dawn Brackett - the Chamber has come a long way since Katrina. After the hurricane, she met with the Board to create a wider vision and represent more of East St. Tammany Parish. Before Katrina there were 200 members and now there are over 900 members. The Chamber hosted over 150 events in the last year.

Sam Caruso - Chairman of the Board - they are humbled by receiving this honor and recognition. This Board is very active and several members show up regularly to all events. Of the over 6,000 Chambers only 56 Chambers received this award. The St. Tammany Chamber was judged on 9 criteria and of the nine, they scored 100% on 7 of them. The Chamber has 941 member businesses.

Kevin Davis - After Katrina, he was very concerned about the East side of the Parish. However, early meetings with the Chamber provided him with confidence the Chamber would help grow and rebuild the east end of the Parish.

Gould - 3) Presentation of Certificate of Recognition to Cody Hosch for creating "Cody Cares" and distributing backpacks to the homeless.(Gould)

Gould, Billiot, Davis - showed a film about Cody and then presented the plaque to him. The film showed that he raised money by selling ornaments with fleur de lis he and his friends drew. They raised enough money and donations to fill 45 backpacks with blankets, food and cards from the children.

Mr. Hosch - Cody will be making and selling cookbooks this year to raise the money for the backpacks.

Mrs. Hosch - please send in recipes.

Gould - 4) Presentation by Mary Toti, Executive Director of COAST, regarding the finances and activities of the Council on Aging.

Mary Toti - this is COAST's yearly report on its activities. COAST serves the entire Parish and are now opening a Senior Center in Folsom. The largest program is transportation. They transported over 550,000 seniors in the last year and delivered 400,000 meals on wheels. They are constantly looking forward to what will be needed in the future. Because of the increase in last year's budget, there is now no waiting list for transportation or meals. They were able to serve all seniors who needed assistance. COAST is one of three councils in Louisiana who have been certified by Social Services. After Katrina, they had to go to frozen meals in order to serve more seniors, but then personal contact was reduced. They are now starting a program asking for volunteers to go visit with homebound seniors. Every May is Older American Month. COAST is working to help all seniors to remain active and engaged citizens.

Gould - 5) Presentation by Billy Nungesser, Plaquemines Parish President, of an update on the oil spill. (Gould/Davis)

Gould - Mr. Nungesser had a schedule conflict so this needs to be tabled.

Bellisario - moved to table, second by Burkhalter. Unanimous with 1 absent (Canulette).

Gould - need a motion to open the Off-the-Floor Agenda to move up the presentations.

Bellisario - moved to open the Off-the-Floor Agenda and move up presentations, second by Burkhalter. Unanimous with 1 absent (Canulette).

Gould - 1. Presentation by Kevin Davis updating the actions of St. Tammany Parish Public Works Department employees in St. Mary Parish during emergency operations. (Gould)

Kevin Davis - he just wanted to give an update and recognize Shannon Davis and Dexter Accardo and their staff for the work done in St. Mary Parish. St. Tammany Parish Public Works employees worked in St. Mary Parish for over 3,000 man hours. They worked where there was no levee system. Mr. Davis and Mr. Accardo asked for employees to volunteer to work with pay through FEMA. They worked from 7 a.m. to dark, 7 days a week for over 10 days, after the St. Mary Parish President asked for them to stay. St. Mary put signs out to thank St. Tammany employees for their assistance. Each Parish employee received a day off for their work. Mr. Davis and Mr. Accardo helped St. Mary Parish establish an emergency system.

Gould - 2. Presentation by Pam Miller regarding the Parish CRS Citation (Flood Insurance Rating). (Gould)

Pam Lightfoot - NFIP Staff - the residents and business owners in unincorporated areas of the Parish currently receive a 5 percent reduction in insurance costs. Now, due to the Parish's receiving a Class 7 CRS (Community Rating System), they will see a 15% reduction. The Parish received this rating due to its efforts to go above and beyond flood plain management requirements.

Davis - this rating is due to several years of work. They were able to reduce the amount based on a combination of activities, such as elevation projects, open space preservation (Camp Salmen), increase in building code standards and the relocation of 6 buildings due to repetitive loss.

Gould - 3. Resolution in opposition to Senate Bill 108 of 2011 Regular Session of Louisiana Legislature and requesting the House of Representatives not approve the enactment of said bill in the best interest of local government. (Bellisario)

Grant Schlueter - this bill has already passed the Senate and has been referred to a House Committee. The effect of the bill is it will limit any fire protection district, Parish, school board, etc. from choosing when Bond Elections can take place. This bill will only allow 2 elections per year in the fall, and in every fourth year, there will not be an election. The problem is entities such as the school board and the Parish taxing bodies need to renew millages more often. If the bill passes, then the Parish will have to review all taxing bodies to advise them to start thinking about millages and renewals up to three years in advance.

Mike Sevante - this bill was proposed as being a money saver for voters and to encourage higher voter turnout. Currently, there are 2 elections each in the Spring and Fall. Most of the 80 taxing bodies in the Parish are made of average citizens, not attorneys, judges, etc. He thinks it is too much to ask lay people to realize an election for a millage renewal will have to be held a year in advance. If they have to hold the election after the expiration of the millage, they will suffer the penalty of no revenue until the election occurs.

Falconer - this is another item coming up last minute and it continues to irritate him because the Council is asked to address matters with only half of the information. He thinks there has to be a reason why this matter has come up in the legislature and he thinks the Council needs to hear from the side supporting the bill.

Sandra Slifer - League of Women Voters. They read this bill and thinks this is good timing for this change in regards to reassessments. There are also a number of amendments that have been added to it that improve it. Thinks the Council should ask for an amendment to have a spring election in addition to fall. They think it will be beneficial to reduce the number of elections to increase voter turnout.

Binder - he also has concerns about this appearing last minute on the Agenda. He is for saving money in government and getting higher voter turnout. His real concern is he read about this in the newspaper rather than hearing it from the legislature. This is local government that the State is voting on effecting.

Council discussion ensued.

Sevante - he does not know who is pushing this bill from a political standpoint. Secretary of State Tom Schedler is in favor of it.

Bellisario - moved to adopt, second by Artigue. Motion passed with 10 yeas, 2 nays (Falconer, Hamauei) and 2 absent (Canulette, Burkhalter).

Sevante - Perhaps there is a compromise in suggesting adding an amendment to hold a spring and fall election.

Stefancik - moved to reconsider the Resolution, second by Bellisario. Unanimous with 3 absent (Hamauei, Canulette, Burkhalter).

Bellisario - moved to amend the Resolution to ask legislature to amend to include a spring and fall election, second by Artigue. Unanimous with 3 absent (Hamauei, Canulette, Burkhalter).

Bellisario - moved to adopt as amended, second by Artigue. Unanimous with 3 absent (Hamauei, Canulette, Burkhalter); becomes Resolution C.S. No. C-3145AA.

Gould - call to Council and Audience for items to be pulled from the Consent Calendar.

Ord. Cal. No. 4584	Ord. Cal. No. 4587	Ord. Cal. No. 4589
Resolution C.S. No. C-3126	Resolution C.S. No. C-3127	
Resolution C.S. No. C-3128	Resolution C.S. No. C-3141	

Consent Calendar less items pulled:

**CONSENT CALENDAR
(PAGES 2 THROUGH 4)**

Any items not pulled from the Consent Calendar are automatically approved in whole by one vote. Items pulled from the Consent Calendar are discussed and voted upon individually. (Call to Council Members and Audience for items to pull)

MINUTES

Regular Council Meeting	May 5, 2011
Council Committee Meeting	May 25, 2011

**ORDINANCES FOR INTRODUCTION
(Public Hearing: July 7, 2011)**

1. Ord. Cal. No. 4571 - Ordinance amending the Official Parish Zoning Map to reclassify 8.93 acres located north Judge Tanner Boulevard Extension, east of Westwood Drive from A-1 (Suburban District) to CB-1 (Community Based Facilities District). (Ward 4, District 5) (ZC11-05-039) (Zoning Commission approved 5/3/11) (Gould/Davis)
2. Ord. Cal. No. 4572 - Ordinance amending the Official Parish Zoning Map to reclassify 45.20 acres located north of Judge Tanner Boulevard Extension, east of Westwood Drive from A-1 (Suburban District) to PF-1 (Public Facilities District). (Ward 4, District 5) (ZC11-05-040) (Zoning Commission approved 5/3/11) (Gould/Davis)
3. Ord. Cal. No. 4573 - Ordinance amending the Official Parish Zoning Map to reclassify 5,500 square feet located west of Oak Street, south of Sycamore Avenue, north of Birch Avenue, being lots 31 & 32, Square 6, Beverly Hills Subdivision from A-4 (Single-Family Residential District) to A-4 (Single-Family Residential District) & MHO (Manufactured Housing Overlay). (Ward 8, District 14) (ZC11-05-041)(Zoning Commission approved 5/3/11) (Gould/Davis)
4. Ord. Cal. No. 4574 - Ordinance amending the Official Parish Zoning Map to reclassify 1.84 acres located north & south of Charlene Lane, east of Carol Lane, west of Elaine Lane, being lots 70 & 76, Ramsey Estates from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay). (Ward 3, District 3) (ZC11-05-042) (Zoning Commission approved 5/3/11) (Gould/Davis)
5. Ord. Cal. No. 4575 - Ordinance amending the Official Parish Zoning Map to reclassify 3.33 acres located along Bayou Court, west of LA Highway 59, being Lots 1, 2, 5, 6, 7 & 8, Project 59 Subdivision from HC-3 (Highway Commercial District) to I-2 (Industrial District). (Ward 3, District 3) (ZC11-05-043) (Zoning Commission approved 5/3/11) (Gould/Davis)
6. Ord. Cal. No. 4576 - Ordinance amending the Official Parish Zoning Map to reclassify 1.65 acres located west side of LA Highway 59, north of Emile Strain, south of Florence Road from HC-2 (Highway Commercial District) to an I-1 (Industrial District). (Ward 4, District 7) (ZC11-05-044) (Zoning Commission approved 5/3/11) (Gould/Davis)
7. Ord. Cal. No. 4577 - Ordinance amending the Official Parish Zoning Map to reclassify 8.13 acres located west of 4th Avenue, south of Helenbirg Road from A-2 (Suburban District) to A-3 (Suburban District). (Ward 3, District 5) (ZC11-05-045) (Zoning Commission approved 5/3/11) (Gould/Davis)

8. Ord. Cal. No. 4578 - Ordinance to amend the 2011 Operating Budget - Amendment No. 5. (Gould/Davis)

9. Ord. Cal. No. 4579 - Ordinance to correct the Road and Drainage Inventory to include Bivins Road, Monterey Pond, Bull Run Lateral, East Powerline Road Lateral, West Cherrywood Lane Lateral, and an extension to Bessie Booth Road. (Wards 2, 4, 8 & 9) (Districts 3, 6 & 10) (Gould/Davis)

10. Ord. Cal. No. 4580 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights of way and/or servitudes for Cours Carson drainage improvements. (Gould/Davis)

11. Ord. Cal. No. 4581 - Ordinance to authorize the Parish President to acquire certain parcels, rights of way and/or servitudes for the Highway 59 at Highway 1088 Right Turning Lane Project. (Gould/Davis)

12. Ord. Cal. No. 4582 - Ordinance to authorize the Parish President to acquire certain parcels, rights of way and/or servitudes for Project Icebox Infrastructure-84 Lumber Road Connector. (Gould/Davis)

13. Ord. Cal. No. 4583 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights of way and/or servitudes for Project Icebox Infrastructure-old Military Road Turning Lane. (Gould/Davis)

15. Ord. Cal. No. 4585 - Ordinance to authorize the Parish President to enter into an inter-governmental agreement with the St. Tammany Parish School Board for the transfer of property in and around The Learning Center. (Gould/Davis)

16. Ord. Cal. No. 4586 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire all certain parcels and/or rights of way for Learning Center Boulevard. (Gould/Davis)

18. Ord. Cal. No. 4588 - Ordinance establishing the placement of a "Do Not Enter" Sign on Westwood Drive with its intersection with Sharp Road at the entrance to Westwood Estates Subdivision. (Ward 4, District 5) (Gould)

20. Ord. Cal. No. 4590 - Ordinance providing for the incurring of debt and issuance of not exceeding \$2,000,000 in Parish Sales Tax Bonds, Series 2011 (Jail). (Gould/Davis)

RESOLUTIONS

4. Resolution C.S. No. C-3129 - Resolution Establishing Performance and Warranty Obligations. (Gould/Davis)

5. Resolution C.S. No. C-3130 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - Fund 300 to include additional projects. (Gould/Davis)

6. Resolution C.S. No. C-3131 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 5 Capital Improvements List. (Gould/Davis)

7. Resolution C.S. No. C-3132 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 7 Capital Improvements List. (Gould/Davis)

8. Resolution C.S. No. C-3133 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 8 Capital Improvements List. (Gould/Davis)

9. Resolution C.S. No. C-3134 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Facilities) (Gould/Davis)

10. Resolution C.S. No. C-3135 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

11. Resolution C.S. No. C-3136 - Resolution to amend Ordinance C.S. No. 10-2406 the 2011-2015 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Gould/Davis)

12. Resolution C.S. No. C-3137 - Resolution to approve and authorize the Parish President to sign and/or execute a wastewater utility service agreement between the Parish and Utilities, Inc. of Louisiana for the purpose of providing sewerage capacity and improvements to the west half of the intersection of Interstate 12 and Louisiana Highway 21. (Gould/Davis)

13. Resolution C.S. No. C-3138 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and St. Tammany Humane Society. (Gould/Davis)

14. Resolution C.S. No. C-3139 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and the City of Covington. (Gould/Davis)

15. Resolution C.S. No. C-3140 - Resolution to approve and authorize the Parish President to sign and/or execute a cooperative endeavor agreement between the Parish and the Northshore Harbor Convention Center. (Gould/Davis)

17. Resolution C.S. No. C-3142 - Resolution to request the President of the United States to consider Commander John B. Wells, USN (Retired), for the appointment as Chairman of the Board of Veterans' Appeals. (Burkhalter)

18. Resolution C.S. No. C-3143 - Resolution to vacate in part, the moratorium established by Ordinance C.S. No. 11-2465 on issuance of building permits for construction or placement of building structures on property within a portion of unincorporated Alton Subdivision bearing physical address 61497 N. 8th Street, Slidell. (Ward 9, District 14) (Burkhalter)

END OF CONSENT CALENDAR

Gould - 14. Ord. Cal. No. 4584 - Ordinance to amend Ordinance C.S. No. 10-2357, adopted October 7, 2010, which established and validated rates and fees for sewerage and water services provided by systems owned and operated by the Parish. (Gould/Davis)

Burkhalter - moved to substitute corrected ordinance then introduce, second by Stefancik. Unanimous with 1 absent (Canulette).

Gould - 17. Ord. Cal. No. 4587 - Ordinance establishing the placement of a "Do Not Enter" Sign on Westwood Drive with its intersection with Dove Park Road at the entrance to Westwood Estates Subdivision. (Ward 4, District 5) (Gould)

Hamauei - moved to substitute corrected ordinance then introduce, second by Stefancik. Unanimous with 1 absent (Canulette).

Gould - 19. Ord. Cal. No. 4589 - Ordinance to extend for an additional six (6) months the moratorium on the approval of rezoning, issuance of conditional use permits and issuance of plan review permits, not previously received, for property abutting the Louisiana Highway 21 Planned Corridor from Keys Road North to Azalea Drive. (Ward 1, District 1) (Dean)

Dean - moved to amend from Keys Road North to Azalea Drive to Keys Road North to Lalane Road, second by Thompson. Unanimous with 1 absent (Canulette).

Dean - moved to introduce as amended, second by Thompson; becomes Ord. Cal. No. 4589AA.

Gould - 1. Resolution C.S. No. C-3126 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 12.6 acres from Parish HC-2 (Highway Commercial District) to City of Slidell C-4 (Highway Commercial District) located adjacent to I-10 Service Road (Lindberg Drive) and Mckinney Road. (Ward 8, District 14) (SL2011-03) (Gould/Davis)

Burkhalter - moved to concur, second by Artigue. Unanimous with 3 absent (Dean, Cooper, Canulette).

Gould - 2. Resolution C.S. No. C-3127 - Resolution to concur/not concur with the Town of Pearl River annexation and rezoning of 0.82 acre from Parish A-2 (Suburban District) to Town of Pearl River R-1 (Residential District) located at 40012 Old Highway 11. (Ward 8, District 6) (PR2011-02) (Gould/Davis)

Howell - moved to concur, second by Bellisario. Unanimous with 3 absent (Dean, Cooper, Canulette).

Gould - 3. Resolution C.S. No. C-3128 - Resolution to concur/not concur with the Town of Pearl River annexation and rezoning of 1.1939 acres from Parish A-2 (Suburban) and PF-2 (Public Facilities District) to Town of Pearl River R-1 (Residential District) located at 40008 Old Highway 11. (Ward 8, District 6) (PR2011-03) (Gould/Davis)

Howell - moved to concur, second by Bellisario. Unanimous with 1 absent (Canulette).

Gould - 16. Resolution C.S. No. C-3141 - Resolution to approve and authorize the Parish President to advertise for bids for the construction of the drainage improvements for Huntwyck Village Subdivision, Phase I. (Gould/Davis)

Stefancik - moved to table, second by Bellisario. Unanimous with 1 absent (Canulette).

APPEALS

Gould - 1. John and Rayelyn Cerniglia for the Platinum Holding Group appealing the Zoning Commission DENIAL on April 5, 2011 to rezone 56,959 square feet located west of Coffee Street, north of Florida Street from HC-2 (Highway Commercial District) to A-8 (Multiple Family Residential District). (Ward 4, District 10) (ZC11-04-031)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

Billiot - moved to table, second by Burkhalter. Unanimous with 3 absent (Canulette, Bellisario, Artigue).

Gould - 2. Rick Wilke appealing the Zoning Commission APPROVAL, as amended, of a proposed Ordinance to amend the Unified Development Code, Volume I (Zoning), Section 5.1704A (NC-4 Maximum Building Size), Section 5.1804A (NC-5 Maximum Building Size) and Section 5.1904A (NC-6 Maximum Building Size). (NOTE: Amendment changed maximum building size to 15,000 feet in NC-6 only) (ZC11-05-035)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of an ordinance.

NOTE: To override Zoning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution.

Falconer - he is recusing himself from this matter.

Wilke - Association of Associations. He appealed this matter so it would receive a proper hearing rather than because he was opposed to what was passed. It has happened before where Zoning Commission denied a matter and the Council overrode and adopted something without a public hearing. The intent NC classification was to have small neighborhood stores such as drug stores, hardware stores, etc., not stores like CVS, Home Depot, etc. He can see the justification of increasing the size of NC-6, but not NC-4 and 5.

Jeff Schoen - he represents various businesses and property owners who could be effected by this change. He agrees with increasing NC-6, but thinks NC-4 and 5 need to change also. He does not know what a right or wrong number is in Neighborhood Commercial, but thinks it is an incredible gap from 10,000 square feet in NC to 20,000 square feet in HC. He thinks the 15,000 square foot change is a good stepping point from NC to HC.

Wilke - if someone wants a larger building, they should be in larger zones such as HC. Need to leave neighborhoods alone.

Schoen - his clients also want to protect neighborhoods, but thinks 15,000 square feet is not obnoxious nor will it impact poorly on the neighborhood. He thinks people would like to be able to go to smaller areas that have multiple shops, such as barbers or cleaners.

Sandra Slifer - she is in favor of the amendment which only changes NC-6 to 15,000 square foot building. She thinks there will be plenty of places for larger buildings.

Council discussion ensued.

Sidney Fontenot - he would be comfortable with 15,000 square feet being allowed in NC-5 and 6, but he is okay with it just in NC-6.

Stefancik - he thinks the Council does not have enough of an understanding of what the Zoning Commission and this proposed change are trying to do.

Stefancik - moved to table, second by Bellisario. Unanimous with 2 absent (Falconer, Canulette).

Gould - 3. Anthony and Laurie Margiotta appealing the Zoning Commission DENIAL on May 3, 2011 to rezone 2 acres located north of Brewster Road, west of Powerline Road from A-2 (Suburban District) to A-5 (Two Family Residential District). (Ward 1, District 1) (ZC11-05-038)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

Anthony Margiotta - he started to build duplexes here after Hurricane Katrina. He built one and then a year and a half ago, he subdivided it to build 3 more. He was able to complete one, but then the market crashed and he had to stop. Now he is ready to finish the last 2 and his property was rezoned to Suburban. He lives on 2 acres behind the duplexes. He has all of the necessary permits and all of his fees have been paid. He just wants to rezone those 2 acres so he can finish what he started.

Shannon Leibert - She lives across the street from the duplexes. Brewster Lane is a two lane country road which can barely handle the current traffic. There is a new school being built nearby which will add more traffic. She feels if the Council allows multifamily, then other developers will come in and build more multiplexes. She is sorry for the money he put out, but asks the Council to please deny.

Robb Farmer - he has a 4,000 square foot house on 3 acres. Adding duplexes will make it so he cannot sell his house. It will have a negative impact. He wants to know why Mr. Margiotta did not build the duplexes on the other side of his 10 acres where they would enter onto Power line? River Chase is being built behind Target. They do not need anymore multifamily units in this area. It will only bring criminals.

Wilke - the land use mentioned in the Zoning comment means rezoning will allow 8 units per acre.

Margiotta - if his intention was 8 units, he would have built them. When he heard about the Zoning change he intentionally increased the size of the lots to accommodate the suburban area. He does not rent to criminals and there are eviction laws to get rid of troublemakers.

Darryl Stanza - he moved to this area because it was rural and he and others paid substantial money for their homes. They will not be able to sell their homes with duplexes nearby.

Margiotta - one of his tenants relocated from Gitts Lane when he divorced, so he could keep his children in the area.

Dean - Mr. Margiotta has 2 lots he would like to change. He paid his impact fees, ran water and obtained all of his permits. He had some financing issues and while he was solving them, his property was rezoned. This was a mistake in the rezoning that needs to be corrected. There are gorgeous houses on Brewster and not so gorgeous houses. The road was improved from Highway 21 to Highway 1077 and there are plans to improve from Highway 1077 west. Mr. Margiotta's duplexes are very nice. He has 2 now and plans on only building 1 unit per acre. He does not see how it could negatively impact traffic because Mr. Margiotta could build 2 houses there instead. He would like Mr. Margiotta to agree to deed restrictions of 1 unit per acre with one driveway to feed both units.

Margiotta - he wanted only one driveway in the first place, but the Zoning Commission said he needed one per duplex. He is fine with the restrictions.

Sidney Fontenot - he will not handle deed restrictions because the Parish cannot enforce them.

Neil Hall - the best thing to do is make the deed restrictions in favor of the abutting property owners and state in the ordinance the rezoning will not be effective until the deed restrictions are completed and filed. The ordinance can also include the stipulation of permits will only be issued with the restriction of 1 unit per acre.

Dean - moved to override the denial, second by Thompson. Motion passed with 10 yeas, 2 nays (Hamauei, Billiot), 1 abstention (Bellisario) and 1 absent (Canulette).

Dean - moved to introduce ordinance, second by Thompson; becomes Ord. Cal. No. 4591.

ORDINANCES FOR ADOPTION

Gould - 1. Ord. Cal. No. 4485 - Ordinance to amend and reenact Chapter 9 of the St. Tammany Parish Code of Ordinances, Garbage and Trash, to provide definitions and criteria with respect to Solid Waste Management Facilities, Collection Facilities, Transfer Stations and Commercial Haulers, and to otherwise provide amendments with respect to Garbage and Trash. (Introduced 1/6/11) (Tabled 2/3/11, 3/3/11, 4/7/11 & 5/5/11)

Bellisario - changes were suggested and discussed at the last Solid Waste Management Committee Meeting.

Bellisario - moved to amend, second by Stefancik. Unanimous with 3 absent (Cooper, Canulette, Billiot).

Bellisario - moved to reintroduce as amended, second by Artigue; becomes Ord. Cal. No. 4485AA.

Gould - 2. Ord. Cal. No. 4486 - Ordinance to create a new section of the Parish Code of Ordinances regarding Transferable Development Rights. (Gould) (Tabled 1/6/11, 2/3/11 and 3/3/11) (Introduced 4/7/11) (Tabled 5/5/11)

Bellisario - moved to table, second by Artigue. Unanimous with 2 absent (Canulette, Billiot)

Mr. Hamauei took over as Chairman.

Hamauei - 3. Ord. Cal. No. 4540 - Ordinance amending the 2010 Operating Budget. (Introduced 4/7/11) (Reintroduced 5/5/11)

Stefancik - moved to adopt, second by Binder. Unanimous with 3 absent (Gould, Canulette, Bellisario); becomes Ordinance C.S. No. 11-2524.

Hamauei - 4. Ord. Cal. No. 4549 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located east and west of Lazy R. Road, north of Gottschalk Road, being 76133 Lazy R. Road, Covington from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Mobile Home Overlay District). (Ward 1, District 1) (ZC11-04-023) (Introduced 5/5/11)

Dean - moved to adopt, second by Thompson. Unanimous with 3 absent (Gould, Canulette, Billiot); becomes Ordinance C.S. No. 11-2525.

Hamauei - 5. Ord. Cal. No. 4550 - Ordinance amending the Official Parish Zoning Map to reclassify 13,050 square feet from A-2 to A-2 and MHO. (Ward 7, District 7) (ZC11-04-024) (Introduced 5/5/11)

Binder - moved to adopt, second by Bellisario. Unanimous with 3 absent (Gould, Canulette, Billiot); becomes Ordinance C.S. No. 11-2526.

Hamauei - 6. Ord. Cal. No. 4551 - Ordinance amending the Official Parish Zoning Map to reclassify 1.09 acres located north of LA Highway 36, east of Homestead Street, being 21041 Highway 36, Covington from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 10, District 3) (ZC11-04-025) (Introduced 5/5/11)

Thompson - moved to adopt, second by Bellisario. Unanimous with 3 absent (Gould, Canulette, Billiot); becomes Ordinance C.S. No. 11-2527.

Hamauei - 7. Ord. Cal. No. 4552 - Ordinance amending the Official Parish Zoning map to reclassify 35,000 square feet located north of LA Highway 22, east of Kathmann Drive, west of LA Highway 1085, being 1922 Highway 22, Madisonville from A-3 (Suburban District) to HC-1 (Highway Commercial District). (Ward 1, District 1) (ZC11-04-026) (Introduced 5/5/11)

Dean - moved to adopt, second by Stefancik. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2528.

Hamauei - 8. Ord. Cal. No. 4553 - Ordinance amending the Official Parish Zoning map to reclassify 1.59 acres located west of Solar Court, east of LA Highway 59, south of South Lane from HC-2 (Highway Commercial District) to I-2 (Industrial District). (Ward 4, District 7) (ZC11-04-027) (Introduced 5/5/11)

Stefancik - moved to adopt, second by Bellisario. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2529.

Hamauei - 9. Ord. Cal. No. 4554 - Ordinance amending the Official Parish Zoning map to reclassify 5.66 acres located west of Albert Thompson Road, south of La Highway 40 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 3) (ZC11-04-028) (Introduced 5/5/11)

Thompson - moved to adopt, second by Howell. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2530.

Hamauei - 10. Ord. Cal. No. 4555 - Ordinance amending the Official Parish Zoning Map to reclassify 3.0 acres located west of LA Highway 437, south of K. Sharp Lane from A-1A (Suburban District) to A-2 (Suburban District). (Ward 3, District 2) (ZC11-04-029) (Introduced 5/5/11)

Cooper - moved to adopt, second by Thompson. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2531.

Hamauei - 11. Ord. Cal. No. 4556 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 5, Zoning Districts, amending Section 5.2102 to provide for the inclusion of outdoor storage yards as an associated use to existing mini-warehouses. (ZC11-04-032) (Introduced 5/5/11)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2532.

Hamauei - 12. Ord. Cal. No. 4557 - Ordinance to amend Code of Ordinances, Chapter 7 Drainage and Flood Control, Article 1 Section 7-002.00 Use of Fill Materials Prohibited to provide for additional areas of special concern and regulations related thereto. (Introduced 5/5/11)

Bellisario - moved to adopt, second by Billiot. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2533.

Hamauei - 13. Ord. Cal. No. 4558 - Ordinance to authorize the Parish President to acquire certain parcels and dispose of certain parcels for North Shore Drive. (Introduced 5/5/11)

Stefancik - moved to adopt, second by Howell. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2534.

Hamauei - 14. Ord. Cal. No. 4559 - Ordinance to enact Article XVI, Section 16-131.04 of the Parish Code of Ordinances setting up rates for the use of Tammany Trace Facilities. (Introduced 5/5/11)

Bellisario - moved to adopt, second by Billiot. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2535.

Hamauei - 15. Ord. Cal. No. 4560 - Ordinance to authorize the Parish President to acquire from Road Home Corporation, certain parcels, rights of way and/or servitudes. (Introduced 5/5/11)

Stefancik - moved to adopt, second by Artigue. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2536.

Hamauei - 16. Ord. Cal. No. 4561 - Ordinance restating and reenacting Section 2-007.01 and Section 02-007.02 of the Parish Code of Ordinances regarding the procedures to sell adjudicated property. (Introduced 5/5/11)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2537.

Hamauei - 17. Ord. Cal. No. 4562 - Ordinance to correct the Road and Drainage Inventory to include Marina Drive Lateral; an extension to Royal Oak Street Lateral; and two (2) additional Royal Oak Street Laterals. (Ward 9, District 13). (Introduced 5/5/11)

Artigue - moved to adopt, second by Binder. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2538.

Hamauei - 18. Ord. Cal. No. 4563 - Ordinance to amend the 2011 Operating Budget - Amendment 4. (Introduced 5/5/11)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2539.

Hamauei - 19. Ord. Cal. No. 4564 - Ordinance to extend for an additional six (6) months the moratorium on the placement of fill and on the issuance of permits for construction, renovation, improvement or placement of any building or structures on property within the boundaries of the subdivision known as Serenity Oaks. (Ward 9, District 14) (Introduced 5/5/11)

Burkhalter - moved to adopt, second by Artigue. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2540.

Hamauei - 20. Ord. Cal. No. 4565 - Ordinance establishing a No Parking Zone on a portion of Glendale Heights Drive (4-D-183) (Ward 4, District 5) (Introduced 5/5/11)

Billiot - moved to adopt, second by Bellisario. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2541.

Hamauei - 21. Ord. Cal. No. 4567 - Ordinance amending the Official Parish Zoning Map to reclassify 9.059 acres located west of North Causeway Service Road, south of LA Highway 22, being 1438 North Causeway, Mandeville from NC-5 (Retail and Service District) to HC-2 (Highway Commercial District). (Ward 4, District 4) (ZC11-03-012) (Introduced 5/5/11)

Falconer - moved to adopt, second by Stefancik. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2542.

Hamauei - 22. Ord. Cal. No. 4568 - Ordinance to impose a six (6) month moratorium on the issuance of building permits for placement of manufactured homes and mobile homes on property situated in Section 14, Township 5 South, Range 11 East. (Ward 2, District 2) (Introduced 5/5/11)

Cooper - moved to adopt, second by Bellisario. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2543.

Hamauei - 23. Ord. Cal. No. 4569 - Ordinance amending the Official Parish Zoning Map to reclassify 3.4 acres located west of Cleo Road, north of Schneider Pkwy, being 63355 Cleo Road, Pearl River from A-4 (Single-Family Residential District) to I-2 (Industrial District). (Ward 8, District 9) (ZC11-05-037) (Introduced 5/5/11)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2544.

Hamauei - 24. Ord. Cal. No. 4570 - Ordinance amending the Official Parish Zoning Map to reclassify 1.4 acres located east of Cleo Road, north of Schneider Pkwy, being 63031 Cleo Road, Pearl River from A-4 (Single-Family Residential District) to I-2 (Industrial District). (Ward 8, District 9) (ZC11-05-036) (Introduced 5/5/11)

Bellisario - moved to adopt, second by Artigue. Unanimous with 2 absent (Gould, Canulette); becomes Ordinance C.S. No. 11-2545.

APPOINTMENTS

Hamauei - 1. Resolution to reappoint Hannah Rucker (term expired) to the Northshore Harbor Center District for Ward 8. (Burkhalter)

Burkhalter - moved to adopt, second by Stefancik. Unanimous with 2 absent (Gould, Canulette); sbecomes Resolution C.S. No. C-3144.

AWARD OF BIDS

<u>BID ITEM</u>	<u>BID NUMBER</u>
Parish Official Journal July 1, 2010 - June 30, 2011	502-03-10-13-2

Leslie Long - the Farmer had the lowest bid at \$1.10 per column inch which is the same rate as last year.

Sevante - the Parish also received a bid from the St. Tammany News. The Award of bids needs to be amended to include them as a secondary official journal as, sometimes, the Legal Department needs to advertise in two newspapers. The St. Tammany News has agreed to publish at the rate of its bid which is lower than its normal advertising rates.

Burkhalter - moved to accept the bid of the Farmer as official journal with the St. Tammany News as secondary official journal, second by Bellisario. Unanimous with 1 absent (Canulette).

DISCUSSION AND OTHER MATTERS

Hamauei - 1. Motion to refer to the Zoning Commission for recommendation of proposed rezoning of 4.035 acres located in Section 30, Township 8 South, Range 15 East from A-1 (Suburban District) to NC-6 (Public, Cultural and Recreational District. (Ward 8, District 9) (Bellisario)

Stefancik - moved to refer, second by Bellisario. Unanimous with 1 absent (Canulette).

Hamauei - 2. Motion to refer to the Zoning Commission for recommendation of a MHO (Manufactured Home Overlay) on 6.8 acres located at the end of Achee Road off Tantella Ranch Road and fronting LA Highway 1077. (Ward 1, District 1) (Dean) (Ward 1, District 1) (Dean)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 1 absent (Canulette).

Hamauei - 3. Motion to refer to the Zoning Commission for recommendation of a MHO (Manufactured Home Overlay) on 10.0 acres located in Sections 26 and 27, Greensburg District. (Ward 6, District 6) (Howell)

Howell - moved to adopt, second by Gould. Unanimous with 1 absent (Canulette).

VERBAL OFF-THE-FLOOR

Gould - Ordinance to confirm and re-establish Polling Locations for Precincts re-established by Ordinance C.S. No. 11-2503 and in conjunction with redistricting according to the 2010 Federal Decennial Census and in compliance with the requirements of the Voting Rights Act of 1965 and LA. R.S. 18:532 Et. Seq.

Stefancik- moved to hear ordinance, second by Gould. Unanimous with 1 absent (Canulette).

Stefancik - moved to introduce ordinance, second by Gould; becomes Ord. Cal. No. 4593.

Gould - moved to enter Executive Session, second by Stefancik. Unanimous with 3 absent (Cooper, Canulette, Bellisario).

EXECUTIVE SESSION

Bellisario - moved to come out of Executive Session, second by Artigue. Unanimous with 3 absent (Gould, Howell, Canulette)

Hamauei - 1. John L. Hendrix and Jean Marie Wolfe Hendrix v. St. Tammany Parish and the St. Tammany Parish Zoning Commission, 22nd Judicial District Court No. 2010-16976 "J".

Stefancik - moved to introduce an ordinance, second by Artigue; becomes Ord. Cal. No. 4592.

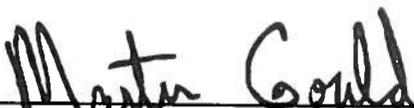
Hamauei - 4. Executive Session: OWC Docket #10-09041, District 6. (Gould)

Stefancik - moved to adopt a resolution, second by Binder. Unanimous with 3 absent (Hamauei, Canulette, Burkhalter); becomes Resolution C.S. No. C-3146.

There being no further business, meeting adjourned at the call of the Chairman.



THERESA L. FORD, COUNCIL CLERK



MARTIN W. GOULD, JR., COUNCIL CHAIRMAN